

## Article - Local Government

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§1–1309.

(a) In this section, “electric company” has the meaning stated in § 1–101 of the Public Utilities Article.

(b) This section applies to all counties and municipalities.

(c) On written request by a county or municipality, an electric company shall sell to the county or municipality some or all of the electric company’s existing street lighting equipment that is located in the county or municipality.

(d) If the county or municipality purchases street lighting equipment from an electric company, the county or municipality shall pay to the electric company the fair market value of the street lighting equipment.

(e) A county or municipality that purchases street lighting equipment in accordance with this section:

(1) shall be responsible for the maintenance of the street lighting equipment; and

(2) may contract with an outside entity for the maintenance of the street lighting equipment.

(f) (1) Any person who controls the right to use space on any pole, lamppost, or other mounting surface previously used in the county or municipality by the electric company for street lighting equipment shall allow a county or municipality that has purchased the street lighting equipment to assume the rights and obligations of the electric company with respect to the space for the unexpired term of any lease or other agreement under which the electric company used the space.

(2) Notwithstanding paragraph (1) of this subsection, the county or municipality may not restrict or prohibit universal access for electricity or any other service by assuming the rights and obligations of an electric company as to space on any pole, lamppost, or other mounting surface used for street lighting equipment.

(3) Any dispute between an electric company and a county or municipality arising under this subsection shall be submitted to the Public Service Commission for resolution.

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